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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/796,471

03/09/2004

Leilei Zhang

X-1574 US

2282

24309

7590

01/23/2007

XILINX, INC

ATTN: LEGAL DEPARTMENT

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EXAMINER

DIAZ, JOSE R

ART UNIT

PAPER NUMBER

2815

MAIL DATE

DELIVERY MODE

01/23/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

**Advisory Action
Before the Filing of an Appeal Brief**

Application No.

10/796,471

Applicant(s)

ZHANG, LEILEI

Examiner

José R. Díaz

Art Unit

2815

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 18 December 2006 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☒ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
(a) ☒ They raise new issues that would require further consideration and/or search (see NOTE below);
(b) ☒ They raise the issue of new matter (see NOTE below);
(c) ☒ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): _____.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☒ For purposes of appeal, the proposed amendment(s): a) ☒ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
The status of the claim(s) is (or will be) as follows:
Claim(s) allowed: _____.
Claim(s) objected to: _____.
Claim(s) rejected: 1-21, 31 and 32.
Claim(s) withdrawn from consideration: 22-30.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

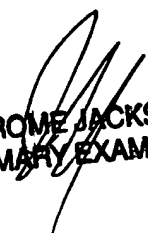
11. ☐ The request for reconsideration has been considered but does NOT place the application in condition for allowance because: _____.
12. ☒ Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s). 12/18/06
13. ☒ Other: Note the attached figure 2A.

First, it is noted that the Statement of the Substance of the Informal Interview ("Statement"), as filed on December 18, 2006, is not accurate. In the Statement, applicant states that "[T]he Examiner suggested adding a section line to Fig. 2B and...indicating that the space around the chip capacitors in Fig. 2A is not filled with encapsulant." However, the examiner did not make those suggestions. In fact, Applicant was the one that suggested those amendments in response to the issues raised by the examiner. Therefore, the Statement should be corrected.

After a carefully review of the original disclosure, it is considered that the proposed amendment add new matter to the specification. For instance, the original disclosure does not support the subject matter now added to paragraph 0030 since the original disclosure fails to suggest, explicitly or implicitly, that no molding compound is introduced in the space 35, as now proposed by applicant. To the contrary, the original disclosure suggests that molding compound is added in the argued space. For example, paragraph 0030 (of the original specification) discloses that the molding compound is formed on "about 2 mm to about 3 mm of the perimeter of the package substrate 24." Paragraph 0030 further discloses that "[T]he set-back from the edge of the package substrate 24 to the chip capacitors 36, 38 is typically about 2-3 mm." As it is illustrated in the attached figure 2A, a length of about 2-3 mm includes the portion 32 and the space 35. Thus, the molding compound is also present in the space 35.

In addition, the proposed figures are objected since the device shown in figures 2A does not correspond to the device shown in figure 2B. For instance, figure 2A shows a sloped wall completely covered (from top to bottom) with molding compound (30), however figure 2B shows a partially covered sloped wall (34) (see the top portion of the sloped wall that is not covered with molding compound 30). Therefore, the figures remain objected by the examiner.

Finally and with regards to the rejections presented in the Office, the examiner considers that the rejections remain proper since applicant fails to clarify the issues previously raised by the examiner.


JEROME JACKSON
PRIMARY EXAMINER



Disapproved by the
Examiner
D 1/19/07

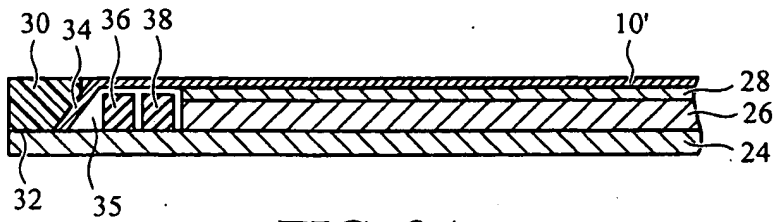


FIG. 2A

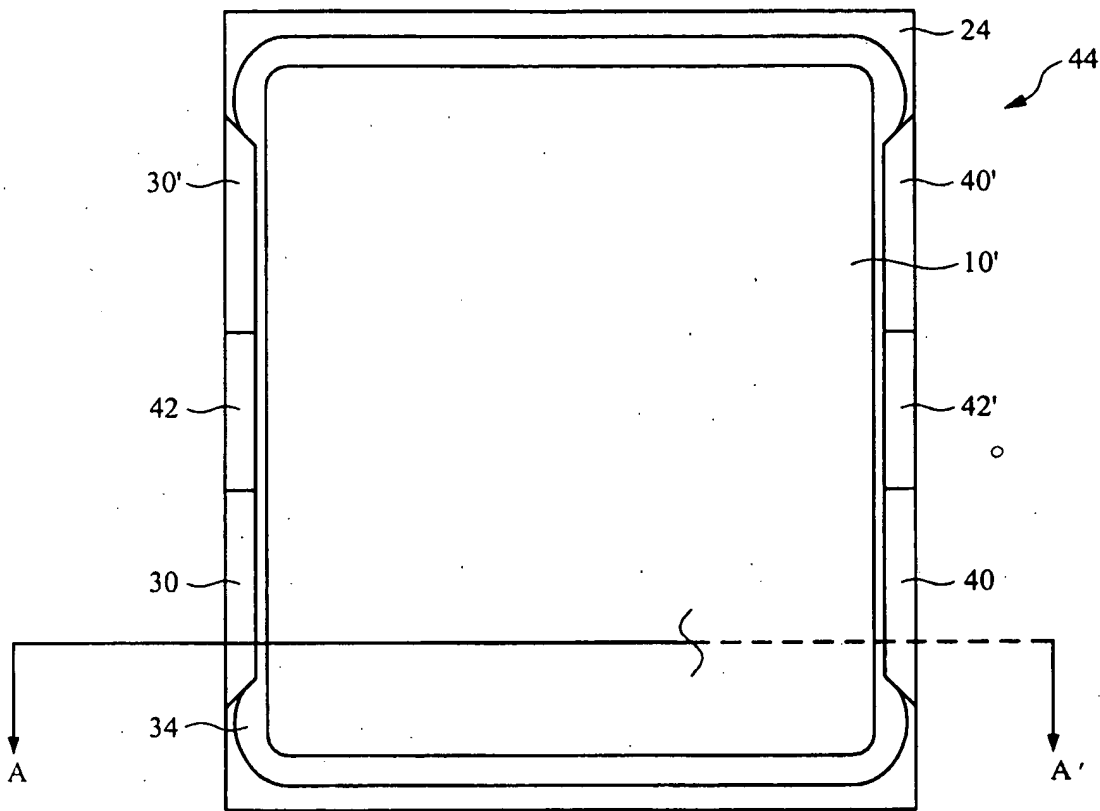


FIG. 2B

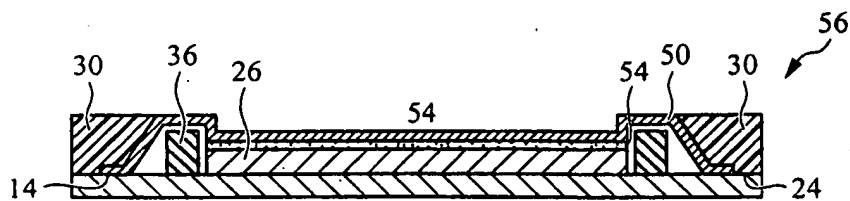


FIG. 2C

